

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 21-cr-00153

vs.

Hon. PAUL L. MALONEY

EBONY KATREASE MALONE,

Defendant.

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**DEFENSE COUNSEL'S MOTION TO WITHDRAW**

NOW COMES the Undersigned, STEFANIE LAMBERT JUNTILA Attorney for Defendant, EBONY KATREASE MALONE, and states in support of her Motion to Withdraw as follows:

1. On July 30, 2021, a Criminal Complaint was filed naming the defendant, Ebony Malone, along with several other defendants with violation of 21 USC Sec. 846 and 841(a)(1) CONSPIRACY TO DISTRIBUTE CONTROLLED SUBSTANCE - Conspiracy to possess with intent to distribute and to distribute controlled substances; 21 USC Sec. 843(b) Use of a communication facility to facilitate drug trafficking.

2. Ebony Malone appeared before Magistrate Judge Sally J. Berens at which time she made a request for court appointed counsel granted, Richard Zambon and was released on unsecured appearance bond (Entered: 08/03/2021)

3. On August 5, 2021 and ORDER granting motion for protective order (R. 42) as to Edward Washington, Demanuel Porter, Jamar Street, Latisha Mack, Jerome Till, Ebony Malone, Michael Terry, and Angela Dority; signed by Magistrate Judge Sally J. Berens (jln) [1:21-mj-00401-SJB] (Entered: 08/05/2021)

4. On August 18, 2021 and INDICTMENT as to Edward Washington,

Demmanuel Tyrone Porter, Jamar Ivey Street, Latisha Maria Mack, Jerome Dwight Till, Ebony Katrease Malone, Michael Dominique Terry, Jr, Angela Michelle Dority was filed.

5. On August 25, 2021, Ms. Malone retained the undersigned and a Substitution of Counsel was submitted.

6. Since the filing of the substitution, defense counsel has reviewed the discovery with the defendant in accordance with the protective order and has explored a pre-trial resolution.

7. There has recently developed a breakdown in the communication between the defendant and counsel to the point that it is impossible to effectively represent the defendant.

8. Indeed, on January 11, 2022, this Court received (R. 225) LETTER from Ebony Katrease Malone requesting current counsel be terminated re Ebony Katrease Malone (Entered: 01/12/2022).

9. Concurrence from the Government was sought just prior to filing this motion, and counsel anticipates a response from Ms. Shekmer today.

WHEREFORE, the Undersigned, STEFANIE LAMBERT JUNTILA, Attorney for Defendant, EBONY KATREASE MALONE, respectfully requests this Honorable Court grant this

Motion to Withdraw as the attorney of record for the defendant,  
EBONY KATREASE MALONE for the reasons so stated herein.

Respectfully submitted

/s/ Stefanie Lambert Junttila  
STEFANIE LAMBERT JUNTILA  
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EBONY KATREASE MALONE  
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Date: January 19, 2022

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WESTERN DISTRICT OF MICHIGAN

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BRIEF IN SUPPORT OF DEFENSE COUNSEL'S MOTION TO  
WITHDRAW

Although an indigent defendant under our case law does not have a right to counsel of choice, the Sixth Amendment requires the substitution of appointed counsel upon a showing of good cause." United States v. Marrero, 651 F.3d 453, 477-78 (6th Cir. 2011) (Clay, J., dissenting) (citing United States v. Iles, 906 F.2d 1122, 1130-31 (6th Cir. 1990)).

The Sixth Amendment provides a right to counsel at all "critical stages" of criminal proceedings, United States v. Wade, 388 U.S. 218, 227-28, 87 S. Ct. 1926, 18 L. Ed. 2d 1149 (1967), which includes sentencing. Gardner v. Florida, 430 U.S. 349, 358, 97 S. Ct. 1197, 51 L. Ed. 2d 393 (1977) (citing Mempa v. Rhay, 389 U.S. 128, 88 S. Ct. 254, 19 L. Ed. 2d 336 (1967)).

The defendant in the case at bar has indicated she cannot continue to be represented by her retained counsel. The parties agree there has been a breakdown in communication and that there would be no undue delay or prejudice to the Government or the defendant if counsel were permitted to withdraw, quite the opposite.

WHEREFORE, the Undersigned, STEFANIE LAMBERT JUNTILA Attorney for Defendant, EBONY KATREASE MALONE, respectfully requests this Honorable Court grant this Motion to Withdraw as the attorney

of record for the defendant, EBONY KATREASE MALONE for the reasons so stated herein.

Respectfully submitted

/s/ Stefanie Lambert Juntttila  
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Date: January 19, 2022